



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Steven B. Pokotilow
Stroock & Stroock & Lavan LLP
180 Maiden Lane
New York NY 10038

COPY MAILED

MAR 03 2006

In re Application of
Jack Wasserman
Application No. 10/678,871
Filed: October 3, 2003
Title:METHOD AND SYSTEM FOR
OBTAINING AND FINANCING EXCLUSIVE
REAL ESTATE LISTINGS

OFFICE OF PETITIONS
ON PETITION

This is a decision on the petition under 37 CFR 1.181 to withdraw the holding of abandonment, filed January 9, 2006.

The petition to withdraw the holding of abandonment is **GRANTED**.

This application was held abandoned October 2, 2005 for failure to timely reply to the non-final Office Action mailed on April 1, 2005. The non-final Office Action set a three (3) month extendable time period for reply. A Notice of Abandonment was mailed December 22, 2005.

Petitioner asserts that a reply to the non-final Office Action and a request was for a three month extension of time and fee were timely submitted on October 3, 2005. Petitioner acknowledges the reply was sent to the examiner's direct facsimile number. On October 4, 2005 the examiner called petitioner and asked for the response to the Office Action be re-submitted to the central fax number. As evidence, petitioner has submitted a copy of the reply which contains a certificate of transmission dated October 3, 2005 pursuant to 37 CFR 1.8. Petitioner has also provided a copy of the sending unit's report which shows transmission was completed on October 3, 2005.

The response submitted January 17, 2005 has not been located in the Office, however, in view of the evidence submitted, the response is deemed timely. Petitioner however is cautioned that all correspondence (with a few exceptions) transmitted by facsimile should be directed to the central facsimile number of (571) 273-8300. Only unofficial correspondence may continue to be transmitted by facsimile to the technology centers. MPEP 501.

The Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn.

The application file is being forwarded to the Technology Center 3600 for further processing.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

Charlema R. Grant

Charlema R. Grant
Petitions Attorney
Office of Petitions